

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA

In re

FREEDOM INDUSTRIES, INC.  
Debtor,

PIETRAGALLO GORDON ALFANO  
BOSICK AND RASPANTI, LLP  
Movant,

v.

NO RESPONDENTS.

Chapter 11

Case No.: 2:14-bk-20017

SIXTEENTH INTERIM APPLICATION PURSUANT TO ADMINISTRATIVE ORDER NO. 2  
OF PIETRAGALLO, GORDON, ALFANO, BOSICK & RASPANTI, LLP AS SPECIAL  
COUNSEL FOR DEBTOR FOR APPROVAL AND PAYMENT OF FEES AND COSTS

AND NOW comes Pietragallo, Gordon Alfano Bosick & Raspanti, LLP. (“Counsel”), Special Counsel for the Debtor, Freedom Industries, Inc. (“Debtor” or “Freedom”), and hereby states for its Sixteenth Interim Application for the Approval and Payment of Fees and Costs, as follows:

1. This application is the Sixteenth Interim Fee Application of Counsel which seeks approval of \$179.50 in fees and \$11.90 for costs and expenses incurred for the period of June 1, 2015 through June 30, 2015.

2. On January 17, 2014 (the Petition Date), Debtor filed a Voluntary Petition for Relief under Chapter 11 of the Bankruptcy Code.

3. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §157 and §1334. Venue of this case and this motion in this district is proper pursuant to 28 U.S.C. §1408 and §1409. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2).

4. Debtor currently continues to manage its property and business as a Debtor in Possession pursuant to 11 U.S.C. §1107 and §1108. No trustee or examiner has been requested or appointed in this case. There is currently formed a committee for the unsecured creditors constituted as of February 5, 2014 by appointment of the U.S. Trustee.

5. By Order entered March 4, 2014, the Court approved the retention of Pietragallo Gordon Alfano Bosick & Raspanti, LLP as Special Counsel to provide litigation and liability defense and legal consultation to the Debtor related to the spill of chemicals into the waterways and grounds adjacent to the Debtor's Charleston area tank facility (the "incident").

6. Pursuant to the Order (Administrative Order Number 2) dated March 21, 2014, this application is the Sixteenth Interim Fee Application of counsel which seeks approval of \$179.50 in attorney and paralegal professional fees \$11.90 in costs and expenses or a total claim of 191.40 for the period of June 1, 2015 through June 30, 2015. The requested fees and expenses are itemized on the billings attached hereto as Exhibit "A" and then summarized as to the type and expense as well as the cumulative totals of each respective service or expense in accompanying Exhibits "B", "C" and "D" respectively attached hereto and incorporated herein by reference with cumulative totals from the prior four requests filed with the Court for fees and costs.

7. The fees for services to the Debtor requested herein were incurred by Special Counsel after the Petition date and include: work product required by Counsel as well as providing discovery to United State Attorney and Probation Office in order to defend Debtor against, asserted criminal allegations, negotiate for the Debtor possible plea agreements for the Debtor as a result of the spill "incident" involving one of the Debtor's storage tanks which occurred on January 9, 2014 (hereinafter the "incident").

8. Charges for the time expenditures claimed herein for the respective members of firm represent significant time expended in the defense of the Debtor against claims of liability for environmental and criminal allegations as a result of the "incident" with the hourly charges by Special Counsel, Pietragallo Gordon Alfano Bosick & Raspanti, LLP being equal to, or less than, similarly experienced liability litigation and property damage practitioners for whom the Court has previously approved fees in Chapter 11 cases.

9. All other attorneys of the firm participating significantly in the case on behalf of the Debtor as reflected in the attached Exhibits "A - C" inclusive have hourly rates equal to or below the hourly fee approved by the Court for similarly qualified attorneys and all of the time and costs reflected herein were for services performed by the firm on behalf of the Debtor and its estate subsequent to the Petition date of January 17, 2014.

10. Summaries of the work performed by the firm, the professionals performing the work and the hours and rates for which payment is sought for the time period claimed are reflected in Exhibits "B" and "C" attached hereto.

11. A summary of the costs and expenses incurred by Special Counsel for which reimbursement payment is sought from June 1, 2015 through June 30, 2015 as well as a cumulative total is reflected in Exhibit "D" attached hereto.

WHEREFORE, Special Counsel, Pietragallo, Gordon Alfano, Bosick & Raspanti, LLP, respectfully requests that the Court (i) approve payment of \$179.50 in professional fees and \$11.90 in expenses for the period of June 1, 2015 through June 30, 2015, and (ii) grant such other and further relief as may be just.

Respectfully submitted,  
PIETRAGALLO GORDON ALFANO  
BOSICK & RASPANTI, LLP

By: /s/ John R. Brumberg  
PAUL K. VEY, ESQUIRE  
West Virginia #5144  
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CERTIFICATE OF SERVICE

I hereby certify that on the 9th of July, 2015, true and correct copies of the foregoing SIXTEENTH INTERIM APPLICATION PURSUANT TO ADMINISTRATIVE ORDER NO. 2 OF PIETRAGALLO, GORDON, ALFANO, BOSICK & RASPANTI, LLP AS SPECIAL COUNSEL FOR DEBTOR FOR APPROVAL AND PAYMENT OF FEES AND COSTS was served via U.S. Mail, first class, postage prepaid, upon the following Notice Parties:

Mark Freedlander,  
McGuire Woods LLP  
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*United States Trustee*

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*Chief Restructuring Officer*

PIETRAGALLO GORDON ALFANO  
BOSICK & RASPANTI, LLP

By: /s/ John R. Brumberg  
PAUL K. VEY, ESQUIRE (5144)  
JOHN R. BRUMBERG, ESQUIRE (11848)  
West Virginia  
Special Counsel for Freedom Industries, Inc.